

LAW OFFICES

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APR 14 A 2:55
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
April 3, 2005

By Messenger

Attention: Courtroom Clerk Rex Brown
The Honorable Judge Joyce London Alexander
United States Magistrate Judge
United States District Court for the District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Attention: Assistant United States Attorney S. Theodore Merritt
Office of the United States Attorney for the District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Re: United States v. Hana F. Al Jader
Docket No. 05 CR 10085 RCL

Dear Gentlepersons:

Please be advised that in accordance with the April 1, 2005 Order entered by the Honorable Magistrate Judge Alexander, I am enclosing for your review the information and executed documents recommended when posting real property as security for a defendant's appearance bond in a criminal case.

On Friday, April 1, 2005 at the conclusion of the formal proceedings both the defendant and Ammar Chamo, signed an appearance bond.

As concerns the property at 62 Cambridge Street, Winchester, Massachusetts, that property is owned by Ammar Chamo. I am enclosing for your review an appraisal prepared by Radius Appraisal, P.O. Box 290203, Charlestown, Massachusetts 02129 on October 1, 2004. (This appraisal was prepared in connection with the refinancing of the subject property wherein Mr. Chamo received a first mortgage in the amount of \$1,000,000.00). **You will note that the appraiser has determined the fair market value as of October 1, 2004 to be \$1,800,000.00, establishing the value of the equity in this property at approximately \$800,000.00.** At the time this letter was prepared, I was unable to obtain on line from the Middlesex South Registry of Deeds a copy of this Deed, because the transaction only occurred in December 2004.

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I have requested a copy of the Winchester Deed from John D. Simmons, 969 Main Street, Walpole, MA 02081, the attorney who will be providing the title rundown on Monday, as more fully set forth below.

With regard to the property located at 339 Mystic Street, Arlington, Massachusetts 02474, that property is held in the name of Hana F. Al Jader, having been conveyed from the trust back into her name individually on September 26, 2003. (See copy of Deed enclosed.) Enclosed is the March 8, 2005 appraisal prepared by Millennium Appraisal Services, 340 Park Street, Boston, Massachusetts 02124, establishing that the Mystic Street property has a fair market value of One Million Two Hundred and Fifty Thousand Dollars (\$1,250,000.00). Also enclosed is the March 2005 Mortgage Statement from Washington Mutual indicating a principal balance of Five Hundred Sixty-Four Thousand One Hundred Two Dollars and 63/100 (\$564,102.63). **Consequently, the equity in the Arlington property is approximately Six Hundred Eighty-Five Thousand Eight Hundred Ninety-Seven Dollars (\$685,897.00).**

As concerns a Certification of Title, undersigned counsel was able to reach Attorney John D. Simmons on Saturday, and Mr. Simmons made an on-line inquiry concerning the title of both properties being utilized to secure the defendant's appearance. I expect to receive before the close of business on Monday a written Certification of Title which will confirm that title is held in the name of the two sureties, and he will list any outstanding liens or encumbrances.

The next series of enclosed documents are executed copies of a Mortgage executed by Ammar Chamo for the Winchester property and a Mortgage executed by Hana F. Al Jader for the Arlington property, in favor of the Clerk of the United States District Court. (The original of these mortgage documents is being held by undersigned counsel.) After the Office of the United States Attorney reviews the documents including the Escrow Agreements, Mortgages and Quitclaim Deeds, I will pursuant to the Court's instruction record the Mortgage with notice that it should be returned to the Clerk of the U.S. District Court for the District of Massachusetts. I will endeavor to have a second copy of each Mortgage hand stamped at the time it is recorded, to provide prompt evidence that the Mortgage has been recorded.

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You will note that the Mortgage on the Winchester property is missing the precise date that the Deed was recorded and a book and page reference. I expect that information will be available on Monday and added to the document before it is recorded.

As concerns the maintenance of insurance on the two properties, enclosed are letters to Massachusetts Property Insurance Underwriting Association, the insurer of the Mystic Street, Arlington, Massachusetts property, and a second letter to Providence Mutual Fire Insurance Company, the insurer of the property at 62 Cambridge Street, Winchester, Massachusetts. Both insurers have been instructed to add the Clerk of the United States District Court as an additional loss payee with the two sureties on the properties.

The next documents enclosed are two Escrow Agreements signed by both sureties using the recommended form and two executed Quitclaim Deeds for the Arlington and Winchester properties.

Undersigned counsel will be out of town on trial on Monday and Tuesday, however, I expect to be able to forward the title rundown some time before the close of business on Monday. When instructed, I will record both Mortgages at the Middlesex South Registry of Deeds in Cambridge.

If you require any additional materials, please advise at your convenience.

Respectfully,



James Michael Merberg

JMM:dg
Enclosures